

Message Text

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E.O. 11652: DECONTROL UPON RECEIPT

TAGS: MASS, GW

SUBJECT: LOCKHEED AND THE FRG

1. BASIC AGREEMENT AND AGREED MINUTE SIGNED SEPTEMBER 24
BY DELEGATIONS OF DEPT OF JUSTICE AND FRG FEDERAL MINISTRY
OF JUSTICE.

2. FOLLOWING IS TEXT OF AGREED MINUTE. BASIC TEXT WAS
TRANSMITTED TO EMBASSY IN JULY.

QUOTE

AGREED MINUTES

(1) A DELEGATION OF THE UNITED STATES DEPARTMENT OF JUSTICE,
HEADED BY DEPUTY ATTORNEY GENERAL HAROLD R. TYLER, JR., AND
A DELEGATION OF THE FEDERAL MINISTRY OF JUSTICE OF THE
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FEDERAL REPUBLIC OF GERMANY, HEADED BY STAATSSSEKRETAER

DR. GUENTHER ERKEL, CONDUCTED NEGOTIATIONS DURING THE PERIOD SEPTEMBER 20-24, 1976, WHICH HAD BEGUN IN JULY 1976, AND EXECUTED AN AGREEMENT CONCERNING MUTUAL ASSISTANCE IN THE ADMINISTRATION OF JUSTICE IN CONNECTION WITH THE LOCKHEED CORPORATION MATTER. THE AGREEMENT, WHICH WAS SIGNED ON SEPTEMBER 24,

1976, BY DEPUTY ASSISTANT ATTORNEY GENERAL JOHN C. KEENEY ON BEHALF OF THE UNITED STATES DEPARTMENT OF JUSTICE AND BY MINISTERIALDIREKTOR WILHELM SCHNEIDER ON BEHALF OF THE FEDERAL MINISTRY OF JUSTICE OF THE FEDERAL REPUBLIC OF GERMANY, ENTERED INTO FORCE UPON SIGNATURE.

(2) THE DELEGATIONS AGREE AS FOLLOWS:

(A) THE AGREEMENT DOES NOT FORECLOSE THE USE OF INFORMATION -- FURNISHED BY THE UNITED STATES DEPARTMENT OF JUSTICE -- BY THE FEDERAL MINISTER OF JUSTICE IN THE DISCHARGE OF OBLIGATIONS OF THE FEDERAL GOVERNMENT ARISING OUT OF THE BASIC LAW FOR THE FEDERAL REPUBLIC OF GERMANY, SUBJECT TO PRIOR CONSULTATION WITH, AND CONSENT OF, THE UNITED STATES DEPARTMENT OF JUSTICE, AS PROVIDED BY PARAGRAPH 5 OF THE AGREEMENT.

(B) AN EXTENSION OF THE AGREEMENT TO SIMILAR CASES WHERE INVESTIGATIONS ARE CONDUCTED OR CONTEMPLATED BY BOTH THE UNITED STATES DEPARTMENT OF JUSTICE AND BY A COMPETENT AUTHORITY OF THE FEDERAL REPUBLIC OF GERMANY COULD BE ACCOMPLISHED BY AN EXCHANGE OF LETTERS BETWEEN THE PARTIES.

(C) FOR PURPOSES OF THE AGREEMENT, THE TERM "LAW ENFORCEMENT AGENCIES" MEANS ALL AGENCIES AUTHORIZED TO INVESTIGATE ALLEGED VIOLATIONS OF LAW WHICH MAY LEAD TO CRIMINAL, CIVIL OR ADMINISTRATIVE PROCEEDINGS, OR TO CONDUCT SUCH PROCEEDINGS. THE TERM "ADMINISTRATIVE PROCEEDINGS" INCLUDES DISCIPLINARY PROCEEDINGS.

END QUOTE
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3. ADDRESSEES SHOULD REFER ALL INQUIRIES CONCERNING THE AGREEMENT TO THE DEPARTMENT OF JUSTICE OR THE FEDERAL MINISTRY OF JUSTICE FOR RESPONSE. KISSINGER

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